

REMARKS

The above amendments and these remarks are responsive to the final Office Action issued on January 10, 2006. By this response, claims 1 and 7 are amended. Claim 8 is withdrawn pursuant to a previous restriction requirement. No new matter is introduced. Claims 1 - 7 are now active for examination.

The Office Action dated January 10, 2006⁵ rejected claims 1 - 7 under 35 U.S.C. §102(a) as being anticipated by Ohishi (U.S. Publication No. 2001/0053956). The anticipation rejection is respectfully traversed in view of the amendments and/or remarks presented herein.

Claim 1, as amended, describes an information providing apparatus that allows a user to customize voice guidance for use in a subsequent dialogue with the user through an automatic voice response via a telephone line. Desired information is provided based on information collected from the dialogue between the user and the apparatus. Appropriate support for the amendment can be found in, for example, Figures 3 and 5, and page 15, line 23 through page 17, line 2 of the written description. Thus, an exemplary system according to claim 1 allows a user to customize and edit audio guidance that is used in a subsequent dialogue with the system, such that the audio guidance includes only selections associated with information or options that are frequently used by the user, to reduce the time needed for subsequent audio guidance and dialogues, without the need to go through fixed layers of menu selections to obtain the desired information.

On the other hand, Ohishi describes a navigation system with a voice recognition control that recognizes a predetermined vocal phrase or word from a user. The system audibly provides appropriate destination information to the user based on the user's speech. Although Ohishi provides pre-recorded voice guidance to guide a user to go through different layers of selection

menus, the voice guidance is preset by the system and cannot be customized by a user for later access to Ohishi's system. Accordingly, Ohishi does not allow a user to customize audio guidance used in a subsequent dialogue with the user through an automatic voice response via a telephone line, as described in claim 1. Since Ohishi fails to disclose every limitation of claim 1, Ohishi cannot support a prima facie case of anticipation. The anticipation rejection is untenable and should be withdrawn. Favorable reconsideration of claim 1 is respectfully requested.

Independent claim 7 includes features related to customizing audio guidance associated with a user based on the user's input. The customized audio guidance is used in a subsequent dialogue with the user. As discussed earlier relative to claim 1, these features are not available in Ohishi. Consequently, claim 7 is patentable over Ohishi.

Claims 2-6, directly or indirectly, depend on claim 1 and incorporate every limitation thereof. Thus, claims 2-6 also are patentable over Ohishi by virtue of their dependencies from claim 1 as well as based on their own merits.

The Previous Office Action Is Non-responsive to Applicants' Arguments

In the previous response, Applicants noted that the office action issued on May 5, 2005 contended that "with regard to claim 2, the interactive voice response is edited based on information pre-registered by the user on paragraph 0050 in Ohishi." Applicants pointed out in a response filed on August 5, 2005 that the argument appears to be flawed because such descriptions could not be found in paragraph 0050 of Ohishi as asserted by the Examiner. However, the Office Action dated January 10, 2006, once again, replicated that argument related to claim 2 from the office action issued on May 5, 2005, without addressing the argument's deficiency pointed out by Applicants. It is respectfully submitted that the features described in

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claim 2 as well as its dependent claims 3 and 6 are not available in the documents of record.

Favorable reconsideration of claims 2, 3 and 6 is solicited.

CONCLUSIONS

For the reasons given above, Applicants believe that this application is in condition for allowance, and request that the Examiner give the application favorable reconsideration and permit it to issue as a patent. If the Examiner believes that the application can be put in even better condition for allowance, the Examiner is invited to contact Applicants' representatives listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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